IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

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| UNITED STATES OF AMERICA, Plaintiff, | ) Docket No. 16 CR 80 |
| vs. | ) |
| VANDETTA REDWOOD, Defendant. | ) Chicago, Illinois<br>) May 10, 2016<br>) 9:13 o'clock a.m. |

TRANSCRIPT OF PROCEEDINGS - STATUS & MOTIONS
BEFORE THE HONORABLE AMY J. ST. EVE

APPEARANCES:

For the Plaintiff: HON. ZACHARY T. FARDON
United States Attorney
BY: MS. MICHELLE NASSER
219 S. Dearborn St., Suite 500
Chicago, Illinois 60604

For the Defendant: MOTTA & MOTTA LLC
BY: MS. ALISON H. MOTTA
559 W. Galena Blvd.
Aurora, Illinois 60506

Also Present: MS. STEPHANIE NORWOOD, Pretrial

Court Reporter: MR. JOSEPH RICKHOFF
Official Court Reporter
219 S. Dearborn St., Suite 1232
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PROCEEDINGS RECORDED BY
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THE CLERK: 16 CR 80, United States vs. Vandetta Redwood.

MS. MOTTA: Your Honor, we're waiting for the other third-party custodian to come up. She was parking. I don't know if you want to --

THE COURT: Okay. We can take up other issues then. I have a 9:30, so I do not want to wait too long.

MS. NASSER: Good morning, your Honor, Michelle Nasser on behalf of the United States.

THE COURT: Good morning.

MS. MOTTA: Alison Motta on behalf of the defendant, Ms. Redwood.

THE COURT: Good morning.

The defendant is present.

You are here for status.

Good morning, Ms. Norwood.

MS. NORWOOD: Good morning. Stephanie Norwood, Pretrial Services.

THE COURT: You are here for status, and I also have multiple motions before the Court; and, I wanted to address the issue of Mr. Flynn, as well, this morning.

MS. MOTTA: Ms. Redwood is happy with the representation she has, and she does not want to add Mr. Flynn.

THE COURT: Okay. That is fine then. We will proceed with the representation that you have.

Is that accurate, Ms. Redwood?

(No response.)

THE COURT: Is that accurate, ma'am, that you do not want Mr. Flynn to join your team? Is that correct?

THE DEFENDANT: Yes.

THE COURT: Okay.

So, that is correct? You do not want him to -- that is a negative question.

Do you want Mr. Flynn to join your legal team?

THE DEFENDANT: Yes, ma'am.

THE COURT: You want him to join your team?

THE DEFENDANT: Yes.

(Defendant confers with her attorney off the record.)

THE COURT: Let me come back to that question. Let's take up the motions, because that does not matter, if he is on or not, with respect to the motions.

I have multiple motions -- pretrial motions -- that have been filed, Ms. Nasser. I would like to take up in court today the motion as to disclosure of discovery materials.

As to the other motions -- actually, there is an amended motion. So, I will take up both the regular and the amended.

As to the other pretrial motions, how much time would you like to respond to these?

MS. NASSER: Your Honor, could we have two weeks?

THE COURT: You may.

So, I will enter the motions.

Two weeks to respond, Katie.

THE CLERK: May 24th.

THE COURT: And, then, one week to reply.

THE CLERK: May 31st.

THE COURT: What is the government's position, Ms. Nasser, on a hearing on the motion to suppress identification evidence and testimony?

A hearing was requested. Obviously, if there is an issue of fact on that, it is something that the Court often holds a hearing on.

What is your position?

MS. NASSER: Your Honor, in full disclosure, I was out of the office yesterday and Friday when these were filed, so I have to take a closer look at some of these.

THE COURT: Okay. Take a look. It is Document 45 in the record.

MS. NASSER: Yes, your Honor.

THE COURT: And if you would -- I would like to get a hearing date in place sooner rather than later --

MS. NASSER: Absolutely.

THE COURT: -- if we are going to have a hearing. And maybe we can even talk about that today, just in case there is a hearing.

(Brief pause.)

THE COURT: How about June 17th?

MS. NASSER: For a hearing?

THE COURT: For a hearing on the motion at Record 45. Does that work?

MS. MOTTA: June 17th does not work for me, your Honor.

THE COURT: How about the 16th?

MS. NASSER: That's fine with the government.

MS. MOTTA: It would actually work, because I've got a trial -- I don't know if there's a way --

THE COURT: Does the 16th work?

MS. MOTTA: What date did we say? The 18th -- the 16th --

THE COURT: The 16th is a Thursday or 17th is a Friday, and we could do it the afternoon of the 16th if that would help.

MS. MOTTA: Neither the 16th or the 17th work, but, like, the 20th would.

THE COURT: I cannot do the 20th.

MS. MOTTA: Or the 21st? Anything that week.

THE COURT: How about the 27th? I do not want to go any further than that.

MS. MOTTA: I think that works, your Honor.

THE COURT: My preference would be the earlier; also for your benefit so you know what is in and out of trial.

Does the 27th work?

MS. MOTTA: It does, your Honor.

THE COURT: Okay.

What time, Katie?

THE CLERK: At 9:00 a.m.

THE COURT: 9:00 a.m. on June 27th if we need one.

MS. MOTTA: And that's for the identification evidence?

THE COURT: Yes.

Then you have asked for one on the vindictive prosecution. That is typically a type of motion that can be taken care of on the papers. Once I see the government's response, if I think a hearing is appropriate, we will talk about a date then. But let me see their response on that first.

MS. MOTTA: Yes, your Honor.

THE COURT: Your motion for disclosure of Jencks and disclosure of Brady, Giglio material at Record 49, I am going to deny as moot in light of your amended motion that you filed at Record 51.

So, the motion for disclosure of Jencks, Brady, Giglio -- to the extent there is any Brady material, I assume you have turned it all over, Ms. Nasser?

MS. NASSER: We have, your Honor. We've turned over Brady and Jencks.

THE COURT: Okay.

What about Giglio?

MS. NASSER: We just need to run criminal history checks, but besides that.

THE COURT: Okay.

Any Jencks and Giglio that has not been turned over -- obviously, Brady should be turned over immediately. Any Jencks and Giglio that has not been turned over should be turned over by June 10th, which is one month in advance of trial.

So, I will grant that aspect of your motion at Record 51.

Then the only other motion I have before the Court this morning is the motion with respect to release.

MS. MOTTA: Yes, your Honor. And the -- in that regard, the defendant would be inclined to agree to the third-party custodian and house arrest, and, as you can tell from the motion, we've asked that your Honor put, separate to that, the least restrictive conditions.

But it is more important for the defendant to get out today. So, she -- if your Honor wouldn't be making a decision on those today absent an agreement, then the defendant's inclined to agree with whatever the state wants.

THE COURT: The third-party custodian, as I told you, for a variety of reasons, is something that the Court -- a significant condition.

MS. MOTTA: Yes.

THE COURT: And, Ms. Norwood, the proposed third-party custodian is Patricia Johnson.

MS. NORWOOD: Yes.

THE COURT: And I know that originally you thought she would be appropriate, but then there was some issue that came up with respect to somebody else living there. But it looks like she has an adult daughter living with her, not a minor living with her. I do not know if there are any issues with respect to the adult daughter.

What is Pretrial's position?

MS. NORWOOD: The original issue was her son was possibly going to be released on parole to the residence. But it's my understanding that's not happening now. So, it's just her and her 23-year-old daughter. And her daughter is not employed. She is supported by her mother, Patricia Johnson. And she has no criminal history.

MS. MOTTA: And, your Honor, if the -- anything had changed with the son or something of that nature, the family members who would have otherwise taken Vandetta -- Ms. Redwood -- but were unable, either because they're out of state or because they're minors or whatever the situation, have said that they will help and, you know, support the son until such time as Ms. Redwood was no longer -- after trial.

THE COURT: So, the family members of Ms. Johnson, if her son is released, will take him in so he does not go live with Ms. Johnson?

MS. MOTTA: Yes.

THE COURT: Okay.

What is the government's position?

And she would live with Ms. Johnson? Ms. Redwood would live with Ms. Johnson?

MS. MOTTA: If that's part of the third-party custodian as what your Honor's requiring, then yes.

THE COURT: It is. It is.

What is the government's position?

MS. NASSER: Your Honor, as a preliminary matter, I believe that there are two identical motions filed on this issue, as well, at Docket 40 and 42. So, I just wanted to put that on the record.

THE COURT: One was filed under seal. The 40 was under seal and 40- -- I am sorry. One of them was under seal. 40 maybe and 42 was not.

But, yes, we will address that. They are identical.

MS. MOTTA: They are identical, except for the name.

THE COURT: Correct. In substance, they are identical.

MS. NASSER: Also, for what it's worth and just to put on the record, the government disagrees with much of the characterization set forth in the motion, which I don't think is necessary to address.

THE COURT: It is not necessary to address for purposes of what we are doing today.

MS. NASSER: Right.

THE COURT: And it is in conflict with prior rulings of the Court. So, I do not need to go back through that.

MS. NASSER: The government has discussed with Mr. Koontz previously that we would agree to release on these conditions if both of the adults in the residence act as third-party custodian. I believe that Pretrial agrees with that. So, Ms. Johnson and Ms. --

THE COURT: Kinsey.

MS. NASSER: Exactly.

And part of that is because I believe Ms. Johnson is out of the residence for much of the day to work.

We also have a few other conditions that I outlined that I can hand up, that I proposed to Mr. Koontz, that I don't think are onerous. And the one thing that I believe -- well, first of all, both third-party custodians will need to be in court today to be admonished, if they are.

THE COURT: Certainly. And I --

MS. MOTTA: Ms. Patricia Johnson is. I'm not sure if the daughter has made it up yet.

MS. JOHNSON: Huh?

MS. MOTTA: Is your daughter here, as well?

MS. JOHNSON: She's here. She's coming up on the --

MS. MOTTA: She's still in --

MS. JOHNSON: She's here.

THE COURT: Certainly I would admonish both of them.

MS. NASSER: And, then, also the government's position is that the defendant should be on home incarceration with electronic monitoring, and I also believe Pretrial is in agreement with that condition, as well.

THE COURT: Yes. And I will impose that. And if things change down the road and there is a reason to modify that, we can address that down the road; but, yes.

MS. NASSER: Your Honor, would you like me to hand these up? It's not yet signed by the defendant.

THE COURT: Would you please.

MS. NASSER: And I believe the date may be wrong on the last page, but --

(Documents tendered to the Court.)

THE COURT: Ms. Norwood, have you run Ms. Kinsey, and are you okay with her?

MS. NORWOOD: Yes, I did. She has no criminal record.

THE COURT: Okay.

Any other proposed conditions from the government?

MS. NASSER: You would like me to highlight those, your Honor?

THE COURT: Anything else other than what has been proposed in here?

MS. NASSER: The only thing that we may want to add, just to be explicit, is that if Ms. Johnson's son is released on parole, that he not live in the residence. That means --

THE COURT: Yes. I think that was agreed to.

MS. MOTTA: Yes, your Honor.

MS. NASSER: I have nothing besides what is on this.

MS. MOTTA: And, your Honor, the only condition that we were hoping that you would undertake is what is on the state's additional conditions listed as S, which is no unsupervised contact of any kind with minors. One is, I don't think the state would have an objection to children that are under a certain age -- you know, up until five or four or something of that nature, babies.

Is that something the government --

MS. NASSER: There's a baby living in the residence?

MS. MOTTA: I'm not sure.

MS. NORWOOD: I don't think so.

MS. MOTTA: But --

THE COURT: Do you know if there is a baby living in the residence?

MS. MOTTA: There's not. It sounds like -- you know, if people have family and if babies come around, I mean, I don't see why, you know, a baby would be an issue. So, that's one I was hoping we could agree on.

And, then, we're -- also would like -- as stated in the motion, we don't believe that the requirement that she not be allowed around any minors is -- we believe it's too onerous considering it's going to impede on her ability to get -- you know, find gainful employment. And she's never had any other issue but for this. And with everything that everybody disagrees on, I think one thing everyone can agree on is that this was an unusual set of circumstances that happened very abruptly, and, you know -- and that there hasn't been any other conduct on the part of this defendant that has ever placed any minor child at risk in any way, shape or form.

THE COURT: How about if I modify S to no unsupervised contact of any kind with any minors, excluding her own daughter or any children under the age of five, as requested, or unless she has Pretrial's advanced permission.

So, if she is going to go for a job interview -- which is what I hear you saying -- that it is something she discusses with her Pretrial supervising officer in advance and her officer approves it.

MS. MOTTA: Okay. So, for instance, if she was able to get back her previous employment at McDonald's, which --

THE COURT: Why don't you work through her Pretrial Services officer on that because she will be the one directly supervising her and directly in contact with her.

MS. NORWOOD: Judge, if she's on electronic monitoring and home incarceration, that's basically locking her down in the residence 24/7. So, she would not be able to seek employment.

THE COURT: That is what I want to start with. And this is why I am saying work through Pretrial. I want to start with electronic monitoring with home incarceration so she is at the home. And let's see how she does. Given the circumstances here --

MS. MOTTA: It's not that long.

THE COURT: Well, it is not that long to trial, but I would like to see how she does and make sure that there are no issues or complications.

MS. MOTTA: Fair enough.

THE COURT: And if that works, then you can come back and talk to me about that.

MS. MOTTA: Fair enough, your Honor.

THE COURT: Okay.

Have you had a chance, Ms. Motta, to review the order setting conditions of release with your client?

MS. MOTTA: The --

THE COURT: This one. The proposed order.

MS. MOTTA: The one that the -- no. I mean, we've discussed some of these, but not in depth. So --

THE COURT: I am going to hand this back to you, and if you would sit down with Ms. Redwood and review each of these to make sure that she understands each of these conditions. And, then, after you have done that, I will talk to both of the third-party custodians; and, then, I will review these with your client.

MS. MOTTA: Okay.

THE COURT: So, if you would sit down with her, please.

Ms. Redwood, I want you to review this court order with your lawyer. It includes the conditions that I am going to agree to release you on today. If there is something you do not understand, you need to talk to your lawyer about it. I will review them with you after that point because it is very important that you understand each one. Because if you fail to comply with them, you could be back in the position you are in now, and I do not think you want that.

So, sit down with your lawyer, please; talk to her about each condition; and, then, come back up. And I will talk to Ms. Johnson and Ms. Kinsey at that point, as well.

Is Ms. Kinsey here?

MS. JOHNSON: Uh-huh.

THE COURT: Okay.

Could you, Ms. Motta, confirm with them if there are any young children or babies living at the home.

MS. MOTTA: Okay.

I did think I heard babysitting, so I'll find out where that occurs.

THE COURT: Okay.

MS. NASSER: Your Honor, can I clarify one quick thing before I forget?

THE COURT: Yes.

MS. NASSER: You denied the motion at Docket 49 as moot in light of the amended motion filed at Docket 51. Is 51 also denied because you ordered that Jencks and Giglio by June 10th?

THE COURT: I granted it, in part, because I ordered it by June 10th, and denied it as to the Brady because you have already turned it over, to the extent that there is any.

MS. NASSER: Then no need for us --

THE COURT: No need to respond --

MS. NASSER: -- to respond to 51?

THE COURT: -- to that one.

MS. NASSER: Okay.

THE COURT: No need to respond to that one.

Okay. So, if you would review that with your client and then come back up and we will --

MS. MOTTA: All right. Thank you, your Honor.

MS. NASSER: Thank you, your Honor.

(Defendant confers with her attorney off the record.)

THE COURT: Are you ready, Ms. Motta?

MS. MOTTA: Yes.

THE COURT: Did you confirm the issue of children in the home?

MS. MOTTA: Yes. Let me just check one more thing with the defendant.

(Defendant confers with her attorney off the record.)

THE COURT: Ready?

MS. MOTTA: Yes, your Honor.

THE COURT: If Ms. Johnson and Ms. Kinsey would come forward, please.

MS. MOTTA: Sometimes she does babysit in the home, but it's a one-year-old; and she never has occasion to have anyone over five.

THE COURT: Okay. So, nobody else -- no children live there?

MS. MOTTA: No.

THE COURT: Would you tell me your name, please, ma'am.

MS. KINSEY: Shawanza Kinsey.

THE COURT: How old are you, Ms. Kinsey?

MS. KINSEY: 23.

THE COURT: Could you spell your last name, please.

MS. KINSEY: K-i-n-s-e-y.

THE COURT: K-i-n?

MS. KINSEY: s-e-y.

MS. MOTTA: K-i-n, as in Nancy.

THE COURT: And no "l." Kinsey.

MS. KINSEY: Yes.

THE COURT: K-i-n-s-e-y. Okay.

You are Ms. Johnson?

MS. JOHNSON: Patricia Johnson.

THE COURT: Do you have the form completed?

MS. MOTTA: Your Honor, she didn't execute it yet because we have no unsupervised -- like S was going to be amended.

THE COURT: I am going to modify it, and I also need both third-party custodians to sign it.

MS. MOTTA: Okay.

THE COURT: If you want to talk to them for a minute. It is on the --

MS. MOTTA: I see judicial --

THE COURT: -- top of the second page, I believe.

MS. MOTTA: Okay. So, just put another line underneath for Ms. Kinsey?

THE COURT: Sure.

(Brief pause.)

MS. MOTTA: Your Honor, there was a question about the cost, which would be under Q.

THE COURT: Of the electronic monitoring?

MS. MOTTA: Yes.

THE COURT: Ms. Norwood?

MS. NORWOOD: As she's not going to be working, then Pretrial Services will absorb the cost.

THE COURT: Okay.

(Brief pause.)

MS. MOTTA: Oh, and, your Honor, one more. On P, we just wanted to know if we could add visitation with her lawyer, but obviously to get advance notice from Pretrial Services.

THE COURT: There should be nothing in there that restricts visitation from you. You can visit her. I do not have the form before me --

MS. MOTTA: Okay.

THE COURT: -- so I do not know the exact language of P, but certainly you can and should visit her as much as you want.

MS. MOTTA: Okay.

(Brief pause.)

MS. NASSER: Your Honor, just to clarify what you just said about the home incarceration, the language says you're restricted to 24-hour-a-day lockdown at your residence, except for medical necessities and court appearances or other activities specifically approved by the Court.

So, is it that Ms. Motta's free to visit Ms. Redwood at her residence, or are you saying that Ms. Redwood is free to leave her residence?

THE COURT: I understood the question to be Ms. Motta visiting --

MS. MOTTA: I was asking in the reverse, Ms. Redwood visiting my office.

THE COURT: What is Pretrial's position on Ms. Redwood going to visit Ms. Motta with advanced approval by you?

MS. NORWOOD: With advanced approval, it should be fine.

THE COURT: Okay.

Advanced approval. That is the key.

MS. MOTTA: Okay. Thank you, your Honor.

THE COURT: When you are ready with the forms, hand them back up. I want to make a few modifications, and then I will review them.

Ms. Johnson and Ms. Kinsey, if you would not mind staying there, please, because I want to ask you some questions.

(Documents tendered to the Court.)

MS. MOTTA: And she has no passport, your Honor.

(Brief pause.)

THE COURT: Ms. Johnson.

MS. JOHNSON: Yes.

THE COURT: You reside at 1653 West 89th Street, ma'am; is that correct?

MS. JOHNSON: Yes.

THE COURT: In the apartment identified on this document?

MS. JOHNSON: Yes, 24.

THE COURT: Who lives with you, ma'am?

MS. JOHNSON: Me and my daughter Shawanza Kinsey.

THE COURT: How long have you lived there, roughly?

MS. JOHNSON: About, like, seven-and-a-half years.

THE COURT: Are you working, ma'am?

MS. JOHNSON: I do childcare for my daughter.

THE COURT: For Ms. Kinsey or a different daughter?

MS. JOHNSON: No.

THE COURT: Okay.

MS. JOHNSON: My oldest daughter.

THE COURT: Okay.

Do you do that in the home or outside?

MS. JOHNSON: I sometimes take my oldest, but the one is eight. I take him back -- sometime school's on Monday and Fridays. And baby, I watch her off and on, you know, through the day while she at work.

THE COURT: At your home or at your daughter's house?

MS. JOHNSON: At -- at my house. She's one.

THE COURT: And no one else lives with you?

MS. JOHNSON: No.

THE COURT: What is your relation to the defendant, Ms. Vandetta Redwood?

MS. JOHNSON: That's my daughter-in-law's sister. I been knowing her ever since she was little.

THE COURT: You understand that Ms. Redwood has been charged with some serious felony offenses in this case?

MS. JOHNSON: Yes.

THE COURT: I understand, Ms. Johnson, that you, along with your daughter, Ms. Kinsey, are willing to serve as a third-party custodian for Ms. Redwood and let her live with you at your apartment.

Is that correct, ma'am?

MS. JOHNSON: Yes.

THE COURT: And if you are agreeing to be a third-party custodian, do you understand that you are agreeing to supervise Ms. Redwood?

MS. JOHNSON: Yes.

THE COURT: And you are also agreeing to use every effort to get her here in court as directed by the Court; do you understand that?

MS. JOHNSON: I have to drive her to court?

THE COURT: Just make sure that she comes. You do not have to drive her physically, but --

MS. JOHNSON: Just tell her she -- the day of her Court date?

THE COURT: Yes. Make sure she knows of her court date; make sure she has a way to get here.

MS. JOHNSON: Okay.

THE COURT: And you can work with her lawyer on that.

MS. JOHNSON: Okay.

THE COURT: You also -- I am going to review a list of conditions I am imposing on her, including she has to stay at your home on electronic monitoring and she cannot leave unless she has approval from her Pretrial Services supervisor or from the Court.

Do you understand that?

MS. JOHNSON: Yes.

THE COURT: So, if you are agreeing to be the third-party custodian, ma'am, you are agreeing to notify me immediately if she violates any of those conditions.

MS. JOHNSON: Yes.

THE COURT: Do you understand that?

MS. JOHNSON: Yes.

THE COURT: And are you willing to do that?

MS. JOHNSON: Yes.

THE COURT: And are you willing to do that knowing if she violates them, there is a risk that the Court will put her back in prison?

MS. JOHNSON: Yes.

THE COURT: I have the order up here, and under where it says "Third-Party Custodian" is a signature. The one on the top.

Can you see that?

MS. JOHNSON: Yes.

THE COURT: Is that your signature?

MS. JOHNSON: Yes.

THE COURT: Prior to signing this, did you read it and talk to Ms. Motta about it?

MS. JOHNSON: Yes.

THE COURT: Do you have any questions for the Court about your obligations?

MS. JOHNSON: I want to know about her in the household. Could I leave out the household?

THE COURT: Absolutely. You can leave. You are free to go about your daily business, but --

MS. JOHNSON: Okay.

THE COURT: -- she is not permitted to leave.

MS. JOHNSON: Okay.

THE COURT: And you have to have a phone that she can have her electronic monitoring hooked up to.

Do you understand that?

MS. JOHNSON: Yes.

MS. MOTTA: I informed her not to change the phone number and that would have to get arranged with Pretrial Services.

MS. JOHNSON: Yes.

THE COURT: Any other questions for the Court, ma'am?

MS. JOHNSON: No.

THE COURT: Knowing this, are you willing to serve as her third-party custodian?

MS. JOHNSON: Huh?

THE COURT: Knowing all of these --

MS. JOHNSON: Yes.

THE COURT: -- issues, are you willing to serve as her third-party --

MS. JOHNSON: Yes.

THE COURT: -- custodian?

MS. JOHNSON: Yes.

THE COURT: Ms. Kinsey, what is your relationship, ma'am, to Ms. Redwood?

MS. KINSEY: Sister-in-law.

THE COURT: She is your sister-in-law?

MS. KINSEY: Yeah.

MS. JOHNSON: She's married to --

MS. KINSEY: She -- her sister is married to my brother.

THE COURT: Okay.

How long have you known Ms. Redwood?
MS. KINSEY: Since I was little.
THE COURT: Are you working?
MS. KINSEY: No.
THE COURT: Do you live at 1653 West 89th Street with your mom?
MS. KINSEY: Yes.
THE COURT: Anybody else live in the apartment?
MS. KINSEY: No.
THE COURT: Ms. Johnson, one other thing. Do you understand that nobody else can come and live at your apartment unless you get Court permission to do so?
Do you understand that?
MS. JOHNSON: Yes.
THE COURT: Okay.
So, I know there was an issue with your son and there was --
MS. JOHNSON: I know.
THE COURT: That is understood?
MS. JOHNSON: Yes.
THE COURT: Okay.
So, Ms. Kinsey, you heard what I just told your mom, ma'am.
MS. KINSEY: Yeah.
THE COURT: Let me first ask you -- there is a second

signature at the top of this form. Can you see that from where you are?

MS. KINSEY: Yeah.

THE COURT: Is that your signature?

MS. KINSEY: Yes.

THE COURT: Before you signed this, did you have a chance to read it and talk to Ms. Motta about it?

MS. KINSEY: Yes.

THE COURT: I understand you are willing to serve, along with your mom, as a third-party custodian to Ms. Redwood. Is that correct?

MS. KINSEY: Yes.

THE COURT: And you heard me talk about the obligations you will have to help supervise her.

Do you understand that?

MS. KINSEY: Yes.

THE COURT: And do what you can to make sure she appears in court; do you understand that?

MS. KINSEY: Yes.

THE COURT: And also be willing to let me know if she violates any of the conditions that I am about to review; do you understand that?

MS. KINSEY: Yes.

THE COURT: Are you willing to do that?

MS. KINSEY: Yes.

THE COURT: And you will do that in connection with your mom.

THE COURT: Do you understand that?

MS. KINSEY: Yes.

THE COURT: I am going to review all of the conditions of release.

Ms. Johnson and Ms. Kinsey, I would like you to please listen carefully as I tell Ms. Redwood each of these conditions because it is going to be important that you supervise her, do what you can to make sure she is in compliance with these conditions, and let me know if she violates any of them. Okay?

MS. JOHNSON: Yes.

THE COURT: So, if I review them and there is something you do not understand, please let me know, all right?

MS. JOHNSON: Okay.

THE COURT: And, Ms. Kinsey, knowing these obligations, are you willing to serve as a third-party custodian?

MS. KINSEY: Yes.

THE COURT: Do you have any questions for the Court before I review these --

MS. KINSEY: No.

THE COURT: -- conditions?

Ms. Redwood, I am going to release you today with a lot of conditions on your release. I am going to review those conditions with you because it is important that you understand each of these conditions. Because if you do not comply with them, if you violate any of these, then you risk being put back in jail; and I do not think you want to do that.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: And Ms. Johnson and Ms. Kinsey have stepped up, and they are willing to be third-party custodians. So, I do not think you want to let them down either. Okay?

THE DEFENDANT: Yes, ma'am.

THE COURT: So, I am going to release you today on a $4,500 own recognizance bond. What that means is you do not have to put up any money today, but should you fail to appear or fail to comply with the Court's orders, the government can seek $4,500 from you.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: I am releasing you in the custody of Ms. Johnson and Ms. Kinsey at their apartment at 1653 West 89th Street, Apartment 24, in Chicago, and they will serve as your third-party custodians.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: And as part of that, they will be supervising you.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: You must, Ms. Redwood, report as directed to your Pretrial supervisor. And your Pretrial Services officer is here in court today, and there is a phone number on here for that.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: And Ms. Norwood is sitting over there.

You will be supervising her, right?

MS. NORWOOD: I believe it's going to be Brian Kolbus because of the electronic monitoring.

THE COURT: You can speak with Ms. Norwood about exactly who your supervisor is going to be. But whoever it is who is assigned to you, you must report to him or her as directed.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: Do you have a passport?

THE DEFENDANT: No, ma'am.

THE COURT: Okay.

If you did, you would have to surrender it to

Pretrial, and you must not obtain one.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: I am putting you on electronic monitoring with home incarceration, so you are restricted to the apartment for 24 hours.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: And I am going to remove the "no travel" condition because I do not think that is relevant at this point.

You must not have any contact, directly or indirectly, with any victims or witnesses in this investigation or prosecution, including minors MO, TT, ML, PJ, PH, TL, IH, LR, DP, and Individual BW, or their guardians or family members.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: And your lawyer will talk to you so -- these names are minors. I cannot read them in court since we are in open session, but she will make sure that you understand who each of these individuals are.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: You must get mental health treatment as directed by your Pretrial Services officer.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: You must not possess a firearm, destructive device or other weapon.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: And you must not excessively use alcohol.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: You must not use or unlawfully possess a narcotic drug or controlled substance, unless prescribed by a licensed medical practitioner.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: And you must submit to any drug testing as required by your Pretrial Services officer and may not attempt to tamper with it in any way.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: As I indicated, I am placing you on home incarceration with electronic monitoring, and you must submit to location monitoring as directed by your Pretrial Services officer and comply with all the appropriate requirements.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: You must report as soon as possible to your Pretrial Services officer every contact with law enforcement personnel, including any arrests, questioning or traffic stops.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: And you must not have any unsupervised contact of any kind with any minors, except your own child or any children under the age of five.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: And you must also stay at the residence, unless a new address is approved in advance by the Court or approved in advance by your Pretrial Services officer.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: You also may leave the residence to go visit your attorney with advanced approval from the Pretrial Services officer.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

MS. MOTTA: Your Honor, in that regard, it sounds like maybe Ms. Norwood is not going to continue to be the Pretrial Services. It was my hope to actually speak with her immediately after this to get approval for tomorrow, Wednesday, afternoon. I don't know if that one --

THE COURT: Speak with Ms. Norwood. She can still work with you on that.

MS. NORWOOD: And, Judge, if I could just write that in there so that there's no confusion with the supervising officer?

MS. MOTTA: And we will call the Pretrial Services number when she leaves. At least that's what I've done in the past.

THE COURT: Ms. Norwood can approve your first visit for tomorrow afternoon, if she approves that, and you can talk to her about the details for that visit. From there on out, you will deal with whoever the officer assigned is.

MS. NORWOOD: Thank you, Judge.

THE COURT: And while on release, you must not commit any federal, state or local crimes.

Do you understand that?

THE DEFENDANT: Yes, ma'am.

THE COURT: Do you understand each of the conditions I have just reviewed with you, Ms. Redwood?

THE DEFENDANT: Yes, ma'am.

THE COURT: Do you have any questions for the Court regarding any of these conditions? If you do, it is very important that you ask me, because I want to make sure that you understand them.

Do you have any questions for me regarding any of these conditions?

THE DEFENDANT: Yeah. All the names you named, I don't even know them.

THE COURT: Okay. Well, I know they are just initials. If you do not know them, then it is not a problem.

MS. MOTTA: And that's something we'd go over on Wednesday, as well.

THE COURT: And your lawyer will go through who they are, to make sure that you are aware of exactly who they are, okay?

THE DEFENDANT: Yes, ma'am.

THE COURT: Any questions?

THE DEFENDANT: No, ma'am.

THE COURT: Ms. Motta, do you believe that Ms. Redwood understands each of these conditions?

MS. MOTTA: I do, your Honor.

THE COURT: Ms. Kinsey and Ms. Johnson, you have now heard me review each of these conditions. Do you have any questions about any of the conditions?

MS. JOHNSON: No.

MS. KINSEY: No.

THE COURT: All right.

So, we need to set another status.

Ms. Redwood, I asked you at the beginning. Your lawyer said that you do not want an extra attorney to represent you on this case. I had offered Mr. Flynn through CJA funds when you were here last time, given the unique nature of this case. But your lawyer indicated to the Court at the beginning today that you were not interested in that.

Is that correct?

THE DEFENDANT: Yes, ma'am.

THE COURT: Okay.

All right. Then your legal team is in place. We do have a July 11th trial date. That is a firm trial date. So, you should be working toward that.

Why don't you come back here --

It will be the second week of June, Katie, for a status.

THE CLERK: June 16th at 9:00 a.m.

MS. MOTTA: Your Honor, that was the -- right.

THE CLERK: June 15th at 8:45.

MS. MOTTA: I think actually the 15th might --

THE COURT: Does that work for the government?

MS. NASSER: June 15th at 8:45, yes.

THE COURT: Does that work, Ms. Motta?

MS. MOTTA: I think that it does, your Honor.

THE COURT: Okay. June 15th at 8:45.

Is there any objection to excluding time in the interest of justice and given the pending pretrial motions?

MS. MOTTA: No, your Honor.

And I do have one question on the Motion 51 that was granted, in part, and denied, in part.

THE COURT: Yes.

MS. MOTTA: Pursuant to your Honor's order, will the government never have to disclose the address and contact information for the minor?

THE COURT: Thank you for raising that. I meant to raise that.

Have you turned over to Ms. Motta the contact information for these?

And, Ms. Johnson, you are both free to sit, if you would like. You do not have to stand up here anymore. Thank you.

Have you turned over -- the motion asks for the contact information for the minors.

MS. MOTTA: Some of them are no longer minors either.

THE COURT: Certainly the ones who are no longer minors, have you turned over that contact information?

MS. NASSER: Contact information, no, your Honor. And we would object to turning over addresses or phone numbers for the witnesses in this case, particularly the juvenile witnesses.

THE COURT: Let's talk about the ones who are not juveniles anymore. We will separate them.

What is the government's position on that?

MS. NASSER: The government would object to turning over any contact information for any of the witnesses in this case.

THE COURT: What about for attorneys' eyes only, so Ms. Motta can contact them?

MS. NASSER: We would still object to that, your Honor.

THE COURT: Ms. Motta?

MS. MOTTA: Obviously, we cannot investigate the defense and prepare her defense without knowing this information. It is vital that our -- you know, our private investigator in interviewing witnesses and along with myself, as well. So, we would ask that as soon as possible we get that information so that we can be forthright with the investigation.

THE COURT: Respond in writing to that aspect of the motion, and I would like that response in a week. And separate out those who are no longer minors, because I think the law may be different.

MS. NASSER: That's fine.

You would like that in one week, your Honor?

THE COURT: Yes, please.

One week, Katie.

THE CLERK: May 17th.

THE COURT: And, then, to the extent I need a reply, May 20th. I may rule before then. I may not need a reply.

Okay. I will see you June 15th.

MS. MOTTA: Thank you, your Honor.

MS. NASSER: Thank you, your Honor.

MS. NORWOOD: Thank you, Judge.

MS. MOTTA: Your Honor, I'm so sorry. This doesn't matter, but we are going to be withdrawing the appearance of Paul Koontz and my partner, Robert Motta, is going to add an appearance at some point.

THE COURT: I will grant you leave to withdraw, but that means you or your partner have to be at all --

MS. MOTTA: Yes.

THE COURT: -- future statuses. I think he just filed his so that he could appear here. So, that means you have to be here going forward.

MS. MOTTA: Thank you, your Honor.

THE COURT: Or your partner.

MS. NASSER: Your Honor, I believe that Ms. Motta was present when you put on the record -- and I think it's also in your minute order -- about the June 10th deadline for the third point, but just so Ms. Motta's aware.

THE COURT: Yes. I said that when you were here last week. That is the third point deadline.

Thank you.

MS. NASSER: Thank you, your Honor.

* * * * *

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

/s/ Joseph Rickhoff June 20, 2016
Official Court Reporter